

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRED IFILL,

Plaintiff,

-against-

STATE OF NEW YORK UNIFIED COURT
SYSTEM, NEW YORK STATE COURT
OFFICERS' ASSOCIATION, President Dennis
Quirk,

Defendants.

USDC SDNY
DOCUMENT
ELIGITUTIONALLY FILED
DOC #:
DATE FILED: 5/8/08

**CONFIDENTIALITY
STIPULATION AND
ORDER**

07-Civ-7472 (RMB)(DCF)

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the
respective parties herein:

1. With respect to information or documents to be produced by plaintiff or defendants that are set forth in paragraph 8 (hereinafter "confidential information"), the parties agree to disclosure of such information only on the conditions set forth below.
2. Counsel shall use such confidential information solely for the purpose of this action and solely to the extent necessary for the litigation of this action, including court filings and testimony.
3. Counsel shall disclose such confidential information only to the following persons:
 - a. Full-time or part-time personnel employed to assist counsel in this action.
 - b. Expert witnesses or advisors retained by counsel in connection with this action.

c. Court reporters or stenographers engaged to record deposition testimony and their employees.

d. Parties to the action.

e. Such other persons as hereafter may be agreed to by the parties in writing or authorized by the court.

4. A copy of this Stipulation and Order shall be delivered to each person within categories (a) - (d) of paragraph 3 to whom a disclosure of confidential information is made, at or before the time of the disclosure, by the person making the disclosure. The provisions of this Stipulation and Order shall be binding upon each such person to whom a disclosure of confidential information is made.

5. Each person to whom confidential information is disclosed shall keep such confidential information in a secure location to prevent unauthorized disclosure.

6. In the event of an inadvertent disclosure of confidential information, the receiving party or producing party making the inadvertent disclosure shall upon learning of the disclosure:

a. Promptly notify the person or entity to whom the disclosure was made that it contains confidential information subject to this Order;

b. Promptly make all reasonable efforts to retrieve such confidential information from, and to preclude dissemination or use by, the person or entity to whom disclosure was inadvertently made; and

c. Promptly notify the producing party of the identity of the person(s) or entity to whom disclosure was inadvertently made, the circumstances of the disclosure

and the steps taken to prevent the dissemination or use of the information.

7. At the conclusion of this action, counsel shall return any originals and any and all copies of the confidential information to the provider of said confidential information and no copies of said material shall be retained by any person other than the originator.

8. The following information and documents are confidential:

- a. Investigator General Report dated January 12, 2006;
- b. Invostigator General Report dated October 4, 2007;
- c. Video recording of elevator incident in Kings County Family Court on December 8, 2006; and
- d. any document produced by any party containing patient names or medical information.

9. The parties may supplement the list in paragraph 8 by supplemental stipulation without further order of the Court.

10. Any document listed in paragraph 8 that is filed with the Court shall be filed under seal.

11. This Stipulation may be changed by order of the Court, and is without prejudice to

the rights of a party to move for relief from any of its provisions, or to seek or agree to different or additional protection for any particular material or information.

Dated: New York, New York
May 1, 2008

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*The within stipulation is
"so ordered," except that:*

*Any application to maintain
the confidentiality of any documents
or information at trial shall be
made to the trial judge.*

So Ordered: 5/8/08

Debra Freeman
U.S.M.J.

Debra Freeman
United States Magistrate Judge
Southern District of New York